

MEMORANDUM

To: Peter Siggins, Legal Affairs Secretary
Governor's Office

Date: January 21, 2004

Via: Terry Tamminen, Secretary
California Environmental Protection Agency

From: _____
Mark Leary, Executive Director
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: **REPORT ON THE REGULATORY IMPACT OF REGULATIONS
ADOPTED, AMENDED OR REPEALED SINCE JANUARY 6, 1999 –
EXECUTIVE ORDER S-2-03**

Executive Order S-2-03 requires each agency to reassess the regulatory impact on business of any regulation for which it has adopted, amended or repealed since January 6, 1999, specifically addressing the following:

- The impact of the adopted, amended or repealed regulations on California businesses as required by California Government Code section 11346.3;
- The authority for the regulations pursuant to California Government Code sections 11342.1 and 11342.2; and,
- Conformity of the regulations with the criteria set forth in California Government Code section 11349.1 of necessity, authority, clarity, consistency, reference and non-duplication.

The California Integrated Waste Management Board ("CIWMB") has reassessed regulations that it has adopted, amended or repealed since January 6, 1999 and its original findings that each of these regulations did not have a significant adverse economic impact directly affecting California businesses and that they met the requirements of California Government Code section 11346.3. No new information has come to light since these regulations were enacted that would change the original economic analyses prepared for each of them. In addition, the Board has confirmed it had authority to adopt each of these regulations and that these regulations meet the requirements of California Government Code section 11349.1.

The regulatory packages reviewed were the following:

1999

- Unreliable Contractors Regulations
- SubTitle D Flexibility for Landfills
- Transfer/Processing Tier Regulations
- Recycled Content Plastic Trash Bags

2000

- Solid Waste (Orphan Site) Cleanup (AB 992)
- Farm and Ranch Clean-up Grants
- Inert Waste Reporting (SB 515)
- Enforcement and Compliance Requirements
- Modified Planning Requirements (SB 1066)
- Removal of Waste Tire Facility Exclusions
- Recycled Content Newsprint Certification Penalties
- RPPC Record-keeping

2001

- Enforcement and Compliance Procedures
- SB 2202 Revisions to Definitions of “District”

2002

- LEA Grants
- Putrescible Waste Transfer/Processing
- Insurance as a Financial Assurance Demonstration
- NonHazardous, Nonputrescible, Industrial Waste
- RPPC Recycling Rates
- Process for LEA Designation Withdrawal, and Board Designation Approval, Withdrawal and Decertification
- Conflict of Interest Code

2003

- Construction, Demolition and Inert Debris Transfer/Processing
- Construction, Demolition and Inert Debris Disposal
- Compostable Materials Handling
- Waste Tire Monofills
- Solid Waste Inventory of Violations
- Temporary Waiver of Conditions
- Closure/Post-Closure Requirements
- Waste Tire Facilities
- Waste Tire Haulers and Manifests

Attached is a chart providing additional details regarding these regulations. Copies of the Economic Analysis and Form 399 for these regulations can be provided upon request.